

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IMPULSE IMPORTS d/b/a IMPORT IMAGES, et. al.)
Plaintiffs)
v.)
GLOBAL PRINTS, INC. d/b/a CAMPUS SALES, et. al.)
Defendants.)

05 - 11691 RCL

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

NOW COME THE PLAINTIFFS, Impulse Imports d/b/a Import Images, et. al. ("Plaintiffs") and hereby move this Honorable Court to enter a Preliminary Injunction prohibiting and restraining the Defendants from infringing upon the Plaintiffs' rights by manufacturing, distributing and selling products, namely posters, that infringe upon the intellectual property rights of Plaintiffs without authorization or permission from Plaintiffs.

The Plaintiffs seek a preliminary injunction against the Defendants for among other things, infringement of a federally registered trademark under the Lanham Act, *inter alia*, 15, U.S.C. 1114, for federal unfair competition under 15, U.S.C. 1125(a), for state trademark infringement under G.L. c.110B, for common law trademark infringement and infringement of the rights of publicity.

In support of its motion, the Plaintiffs rely on the Complaint, exhibits, affidavits and Memorandum of law submitted herewith.

Respectfully submitted,

Impulse Images, Inc. d/b/a Import Images
By its attorneys,

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Date: 8-16-05

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ORDER GRANTING PRELIMINARY INJUNCTION

This cause has come before the Court upon the application of Plaintiffs for a Preliminary Injunction. Being fully advised, the court

ORDERS, ADJUDGES and DECREES that the Defendants and any of their respective officers, agents, servants, vendors, employees, representatives, as well as all persons and entities acting in concert or participating with them be and hereby are preliminarily restrained and enjoined from:

(a) Importing into or exporting to the United States, its territories or possessions, any goods which bear a copy of any of the Plaintiffs trademarks and/or copyrights or any confusingly similar variations thereon or copies thereof, which goods are not authorized by Plaintiffs for sale in the United States or elsewhere (hereinafter called "Infringing goods");

- (b) Exporting from, or importing into any foreign country from, the United States, its territories or possessions, any Infringing goods;
- (c) Manufacturing, assembling, distributing or selling or participating in the manufacture or assembly, distribution and sale of any Infringing goods;
- (d) Infringing Plaintiffs' established proprietary rights in the licensed trademarks and copyrights and all protectable variations thereof, by further promoting advertising, publishing or offering for sale, goods which bear a copy of any of the trademarks or copyrights or any confusingly similar variations thereof;
- (e) Otherwise infringing Plaintiffs' established proprietary rights at common law in any trademarks;
- (f) Competing unfairly with Plaintiffs in any manner by continued use or sale of Infringing goods or any goods bearing or depicting any of the trademarks or copyrights of Plaintiffs or any colorable variations or imitations thereof;
- (g) Further damaging Plaintiffs' established goodwill and reputation by diluting the distinctiveness of Plaintiffs' established proprietary rights by holding themselves out as having any business relationship with the Plaintiffs, or any of them.
- (h) Competing unfairly with Plaintiffs by passing off Infringing goods as genuine goods of Plaintiffs; and
- (i) Buying, selling or in any way dealing with Infringing goods or any goods bearing a copy of the rights of any of the above-referenced trademarks, copyrights or any colorable variations or imitations thereof.

(j) and further the Defendants are ordered to escrow any and all proceeds, monies, drafts, accounts or monies of any kind due or to become due on account of or in any manner related to the manufacture, sale, advertising and distribution of any Infringing goods.

DONE and ORDERED in chambers at the United States District Courthouse,

_____, this ____ day of _____, _____.

U.S. DISTRICT JUDGE

cc: Counsel of Record